

UNITED STATES DISTRICT COURT
DISTRICT OF MARYLAND

**CHAMBERS OF
JAMES K. BREDAR
U.S. MAGISTRATE JUDGE**

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September 3, 2003

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Subject: *Nancy J. Whalen v. Donald L. Temper, et al.*
Civil Action No. JKB-02-191

Dear Counsel:

This will confirm the schedule established in the teleconference with my chambers and provide certain instructions relating to your pretrial and trial preparation. Counsel are reminded that they are to schedule a settlement conference with Magistrate Judge Gesner, if necessary, after they receive rulings on any dispositive motions.

Schedule

January 2, 2004 - 4:00 p.m.	Deadline for Daubert/Kumho motions (Response and Reply deadlines computed from this date pursuant to the Federal Rules of Civil Procedure)
January 20, 2004 - 4:00 p.m.	Deadline for motions <i>in limine</i>
January 28, 2004 - 4:00 p.m.	Deadline for submitting pretrial order, proposed voir dire, proposed jury instructions, proposed special verdict form (Consult Local Rules -- this is to be a <u>JOINT SUBMISSION</u> to the extent possible with separate submissions ONLY on those matters in dispute)
January 30, 2004 - 3:00 p.m.	Pretrial conference in court (counsel only)-- obtain courtroom number from chambers earlier that day
February 9-13, 2004 - 9:30 a.m.	Jury trial -- counsel should appear in court at 9:30 a.m.; call chambers the preceding Friday to learn the courtroom number.

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Guaranteeing Witness Availability

Absent emergency circumstances, a party will guarantee the presence at trial of any witness that party lists in the pretrial order, in accordance with Local Rule 106.2.i., as "expecting to present" at trial. Please note that the U.S. Marshal requires 18 days advance notice to present a witness in custody pursuant to a writ of habeas corpus ad testificandum.

Disclosure of Opinions of Expert Witnesses

In addition to the information required by Local Rule 106.2.j, the pretrial order shall include for each party a concise summary of the opinion testimony expected from each witness identified by that party pursuant to Fed. R. Civ. P. 26(a)(2)(A) and (B) who may testify at trial. The parties shall identify those witnesses designated pursuant to Rule 26(a)(2)(A) separately from those designated pursuant to Rule 26(a)(2)(B).

Exhibits

Please be prepared to advise me at the pretrial conference if there are any objections to the documents and exhibits listed in the pretrial order in accordance with Local Rule 106.2.g. Any objections not disclosed at that time, other than objections under Fed. R. Evid. 401 and 403, shall be deemed waived at trial, unless excused for good cause shown.

All exhibits must be tagged and numbered prior to trial in accordance with Local Rule 106.7(a). You must meet with one another prior to trial to review and make available for copying one another's exhibits in accordance with Local Rule 106.7(b).

Use of Courtroom Equipment

Please be prepared to advise me at the conference if you would like to use at trial any courtroom equipment. The court has available for your use VCRs and monitors, x-ray boxes, and one electronic evidence presenter. The electronic evidence presenter may be reserved on a first come, first served basis in cases which are expected to last longer than one week and involve numerous documents.

Despite the informal nature of this ruling, it shall constitute an Order of Court, and the Clerk is directed to docket it accordingly.

Very truly yours,

/s/

James K. Bredar
United States Magistrate Judge

JKB/cw

Attachments: as described

cc: Court File

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Chambers File